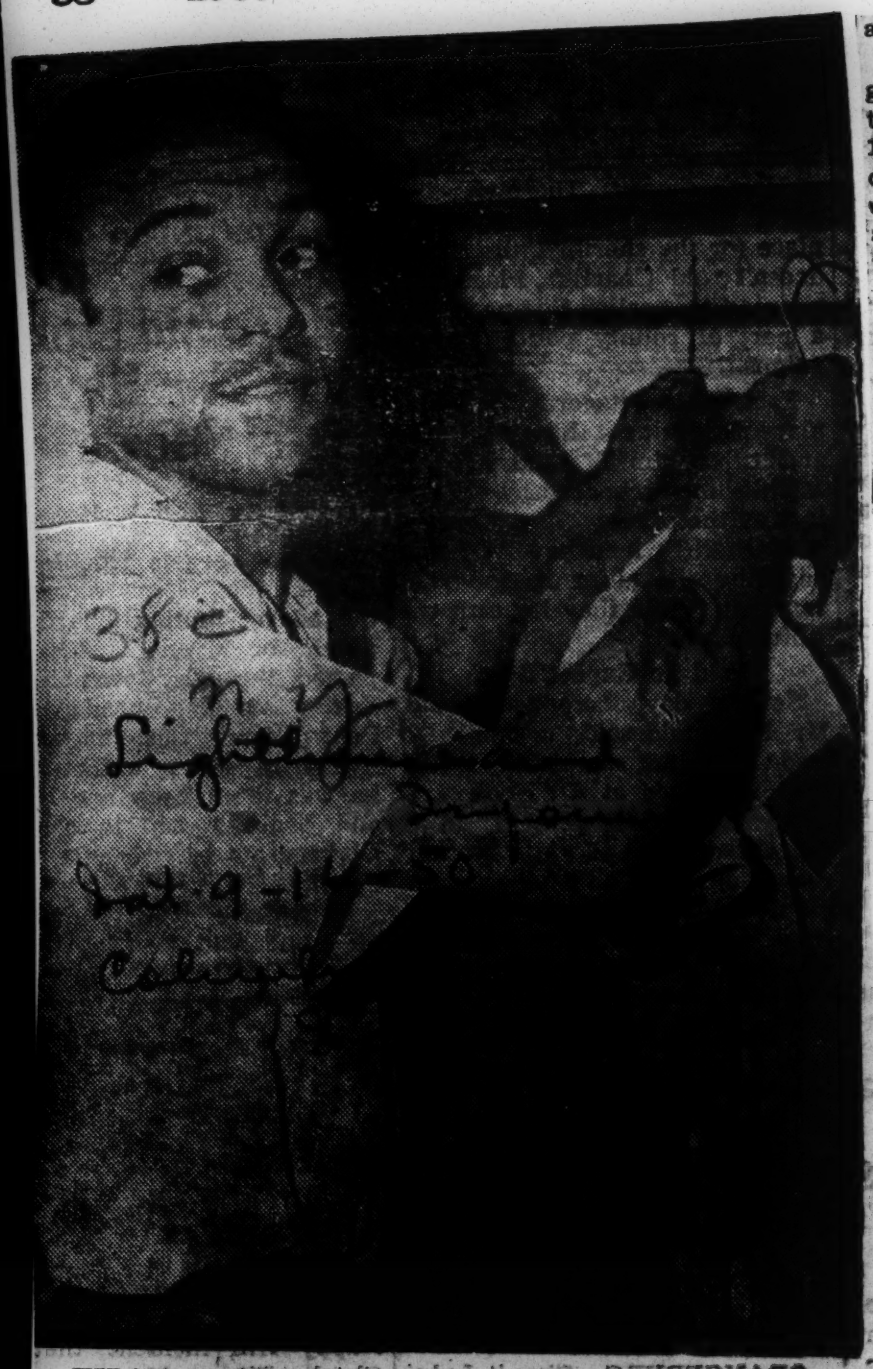

FIRST TENANT: Arthur L. Salmon, Jr., pictured hanging up his belongings in his apartment in Stuyvesant Town in New York, is the first Negro tenant to move in, since the color ban was lifted by the Metropolitan Life Insurance Company, the landlords of this housing development.

Stuyvesant Town to Admit Negroes After a Controversy of Seven Years

The Metropolitan Life Isurance Company has decided to accept Negroes as tenants in its Stuyvesant Town housing project.

Apparently ending a seven-year controversy, the company issued a terse statement yesterday afternoon saying it had leased "some" apartments to "qualified Negro families."

The numbers involved were not disclosed but it was indicated that the new tenants would move in about Sept. 1.

This seeming victory for the groups that have been protesting the project's ban on Negroes since 1943—four years before the war-delayed development actually opened its doors—came two weeks after a City Hall hint that a solution to the question was imminent.

At that time, an aide to Mayor O'Dwyer said that the Metropolitan would admit Negro tenants to its East Side project as soon as "details" had been worked out by the Mayor and Frederick H. Ecker, chairman of the company's board.

However, Mr. O'Dwyer later declined comment on his aide's statement, and Mr. Ecker said only: "Deponent sayeth not."

Yesterday Mr. O'Dwyer was unavailable for comment on the matter and Mr. Ecker was reported to be out of the city.

Other officials of the company referred questioners to the spokesman who issued the statement, which said:

"In response to inquiries, a spokesman for the Metropolitan Life Insurance Company confirmed the fact that the Stuyvesant Town Corporation (a wholly owned subsidiary) has leased some apartments to qualified Negro families."

Then he added:

"No change in basic policy is involved. In court proceedings which have canitnued over a period of several years the company has successfully established its right to select tenants of its own choice. In doing so the management will continue to exercise its best judgment."

The spokesman said he could not elaborate on this. Thus the seeming conflict between the disclosure that apartments had been leased to Negroes and the comment that no change in policy was involved could not be clarified.

This conflict was cited by City Councilman Stanley M. Isaacs, co-author of a bill to ban discrimination in the development, when he was asked whether he still planned to re-introduce the measure in the Council. The bill had been introduced, then withdrawn, reportedly because Mayor O'Dwyer had promised to try to settle the question. A few days ago Mr. Isaacs said that he and Councilman Earl Brown would again present the bill at the Council's next meeting.

Can't Understand Statement

"As far as I'm concerned, I can't understand the statement," Mr. Isaacs said yesterday. "Nobody has ever questioned the company's right to select its tenants. What was questioned was the company's right to discriminate on the basis of race, creed or color."

Until the company's policy is clarified, Mr. Isaacs indicated, he will not be able to state his plans about the bill.

Concern on another question was voiced by Paul L. Ross, chairman of the Town and Village Tenants Committee to End Discrimination in Stuyvesant Town. The question was that of the threatened eviction of thirty-five tenants in Stuyvesant Town and Peter Cooper Village. The thirty-five, many of whom had been active in the committee, had been notified by the company that they must vacate their apartments by Sept. 30. They claim that the company's refusal to renew their leases stemmed from their anti-discrimination stand.

Mr. Rose said that as far as he knew all of the thirty-five—of which he himself was one—planned to stay in their apartments until eviction papers were served. Then the matter will be fought in court, he said.

Since plans for the 8,759-apartment project were first announced by the Metropolitan, the discrimination question has been a subject of virtually continuous controversy. Groups fighting the company's ban on Negro tenants contended that such a ban was illegal in a development that had received partial tax exemption and other forms of public assistance, although no public money.

However, a year ago the Court of Appeals upheld the company's right to choose its tenants and this spring the Supreme Court refused to review the appeal brought by three Negro veterans.

FIRST NEGROES JOIN COLONY

Ex-Officer and Wife Get Home in Long Island Development

Special to THE NEW YORK TIMES.

NORTH AMITYVILLE, L. I., Aug. 24—Jerome Morris, 27 years old, a former first lieutenant in the Army Air Force, and his wife, Juanita, 27, became today the first Negro couple to occupy a home in Ronek Park, the new housing development, located just north of this town.

When completed at a cost of approximately $7,000,000 by the Ronek Construction Company, Inc., the new housing project will embrace 1,000 one-story homes on a 147-acre tract. Each home, with five rooms, costs $6,990 and are "for purchase regardless of race, creed or color." To date, 227 houses have been completed and it is expected that these will be occupied within the next several months.

Mr. and Mrs. Morris, who are attendants at the Pilgrim's State Hospital at Brentwood, L. I., began moving their household effects into their new home last week and completed the operation this morning. The couple previously had lived at the hospital and had found difficulty in purchasing a home. They paid tribute to Thomas, Frank and Michael Romano, three brothers, owners of the Ronek company, for making possible the housing development that will house mainly Negro families.

"At long last, we have something we can call our own," Mr. Morris said, declaring that he and his wife preferred suburban life. "We became tired of being pushed around by builders," he said, adding that he and his wife would "now be able to enjoy a garden and outdoor life."

Ask License Without Exam—

Negro Attorneys Take Case To Court

BY FRED TAYLOR
News Staff Writer

The fight to win equal rights for Negroes in Alabama will open on another front tomorrow at Montgomery.

At 10 a.m. the Supreme Court will hear petitions seeking to force admittance of four Alabama Negroes, law graduates from out-of-state schools, to the Alabama bar without examination.

The State Bar Commission, which conducts examinations through the State Board of Bar Examiners for licensing of attorneys, will oppose the petitions.

The Negroes—Manley E. Banks, Clarence E. Moses, Henry C. Moss and Henry L. Pearson—are asking admittance to the practice of law without examination on grounds they were denied the right to enter University of Alabama law school.

In a joint petition filed for the quartet by Arthur Shores, Birmingham Negro attorney, they say because of their race they were forced to attend law schools in northern states.

* * *

THUS, THEY ARE claiming the same privileges accorded law graduates of University of Alabama, who are admitted to the state bar without examination. And they are asking the high court to grant them licenses.

Harold M. Cook, Birmingham attorney and proctor for the bar commission, will appear before the court to resist this move. Reid Barnes, another Birmingham lawyer, likewise will oppose the petition for the commission.

Cook pointed out every person, white or Negro, who has been graduated from any law school outside Alabama, is required to take the bar examination. He says there never has been an exception to this rule.

Furthermore, Cook said since 1944 "every practicing attorney who has come to Alabama has been required to take the state bar examination, regardless of how long he has practiced in other states."

INCIDENTALLY, A BILL was introduced in the 1949 session of the Legislature to require all persons, including University of Alabama law graduates, to take the bar examination before admittance to practice. But this bill was pigeonholed.

It was charged at the time this measure was aimed at preventing Negroes from being admitted to law practice, in event the university eventually is forced to accept Negro students.

Attorneys say the Supreme Court probably has the "inherent power" to grant licenses to persons applying directly to the tribunal. But they point out the Legislature delegated authority to the commission, through members of the state board of bar examiners, who are appointed by the commission, to conduct examinations.

The high court only issues attorney's licenses upon certification by the commission that the applicant has complied with all requirements. These requirements are passing the bar examination or graduation from the university law school.

This state reciprocated with other states in admitting attorneys to practice, but this was discontinued in 1944.

State Supreme Court Defers Negroes' Plea To Avoid Bar Exams

MONTGOMERY, Ala., Jan. 17—(AP)—The State Supreme Court passed until Jan. 27 a hearing on a petition of four negroes seeking to practice law in Alabama without taking a bar examination.

Court officials suggested that the case be put off because of a "heavy docket" of Eighth Division cases.

The Negroes base their case on the fact that only graduates of the University of Alabama Law School are permitted to practice in the state without taking examinations and Negroes are prohibited from attending the university.

* * *

THEY SAY SINCE ALABAMA funds were used to help finance their education at out of state colleges these colleges "perform delegated functions of the State of Alabama."

Three of the Negroes, Manley E. Banks, Clarence E. Moss and Henry C. Moss, all of Birmingham, are graduates of Howard University in Washington, D. C. The other, Henry L. Peerson of Birmingham, got his law degree at Lincoln University in St. Louis.

Since Alabama has no state-supported law school for Negroes, the Legislature appropriates money to send Negro students to out of state colleges.

The petition is being opposed by the State Bar Association.

Hearing Is Scheduled On Negroes' Demands For Admittance To Bar

THE ALABAMA Supreme Court will hear arguments this week on a petition by four Negroes demanding the right to practice law without taking the state bar examination.

A hearing is set down for the docket which opens Tuesday, but just when it will come isn't certain. Several other cases ahead of it must be disposed of first.

Only graduates of the University of Alabama are admitted to law practice in this state without passing the bar examination. The four Negroes involved in the Supreme Court suit charge they're entitled to the same right because their race and color kept them out of the university.

Three of them—Manley E. Banks, Clarence E. Moses and Henry C. Moss, all of Birmingham—got their law degrees from Howard Unievrsity in Washington, D. C. The fourth, Henry L. Pearson, also of Birmingham, studied at Lincoln University in St. Louis.

Alabama has no state-supported law school for Negroes, but state funds were used to help expenses of the four. Because they used state money to help pay their expenses, the Negroes contend Howard and Lincoln Universities "perform delegated functions of the State of Alabama."

Does Alabama need Negro lawyers? I think we do, just as we need Negro doctors, nurses, etc.

You don't have to agree with Governor Folsom that Negroes should have 35 per cent of everything ("the living") because they are 35 per cent of the population.

That is socialistic demagogy, conceived in Pendergastian cynicism. But the need of more Negroes trained in the professions is certain, and especially the legal profession. I can't believe the Alabama Bar Assn. dissents, but, if it doesn't, what is behind its opposition to letting Alabama Negroes who graduate from out-of-state law schools to which they have been sent by Alabama be admitted to the bar without examination as are white graduates from the University of Alabama Law School.

Unless some clear policy exists against it, there would seem no reason why these Negro graduates should not be admitted without examination so long as white graduates of our state law school are.

It is no fault of theirs that they cannot attend Alabama's law school. And in making arrangements for them to attend out-of-state schools, Alabama undertakes, in effect, to give them equal opportunities without breaking our segregation system. Included, surely, should be equal opportunity to be admitted to the bar.

* * *

If there is fear that they will be race agitators and politicians because of the Northern schools to which they are sent, other schools should be found for them.

If there is opposition for the competition they will make, that is a practical objection, perhaps, but not one which the people of Alabama can or will respect. There's too much cheating and exploiting of Negroes to deny them every opportunity for legal aid and representation by members of their own race.

* * *

Perhaps the better solution would be to require all applicants to take the bar examinations, University of Alabama ones included.

As the dean of the University of Virginia's law school put it some years ago in opposing a proposal to exempt his graduates from taking state bar examinations: "If my school is what it ought to be, they should be able to pass the state bar examinations; if it isn't, they shouldn't be admitted to the bar. I want to know."

Quarles Urges Session Action On Segregation

But Dallas Legislator And Others Say Matter Presents Difficulties

By G. C. LONG, JR.

Senator George P. Quarles of Dallas County yesterday issued a plea for the coming special session of the legislature to "do something" to keep Alabama segregation laws intact.

It was unexpected support for the extraordinary session, called last Sunday by Gov. James E. Folsom for June 19, to stay in session beyond opening day.

Quarles, in Montgomery for a meeting of the State Building Commission, said he for one was not in favor of the legislature quitting the same day it got here as had been suggested by some lawmakers.

Quarles, however, said he would be in favor of letting the session run on only if it would try to take some steps to insure that the United States Supreme Court's segregation rulings earlier this week would not break down segregation in Alabama.

"We've got to do something," Quarles declared, but added he did not know just what could be done to keep the state's segregation laws and customs intact.

He said he hoped the legislature, when it convenes here June 19, will take up the problem and try to do something about it.

Difficulty Foreseen

Quarles, a veteran lawmaker, admitted that it probably would be difficult to work the problem out and even that there might be nothing the legislature could do.

He also said he realized it might be a difficult matter to get the legislature to consider the problem because it would take a two-thirds vote of the assembly to take it up since it wasn't in the call issued by Folsom.

Taking up that issue might have the same results, particularly in the Senate, that the proposed substitute for the unconstitutional Boswell Amendment to regulate

Negro voting brought about in the 1949 session.
A 67-Senator bill and the Boswell Amendment substitute had passed the House and gone to the Senate.
There two factions fought it out over these two proposals until sine die adjournment time without passing either.
The group in the Senate that wanted the Boswell Amendment substituted passed did not want the 67-Senator proposal approved, and the group that wanted the

the segregation question be in favor of staying in session come up at this time to do something about segrega-
s most, likely would be tion, Quarles said he would not the leaders in trying to be in favor of keeping the session it gets here June 19. going to pass a 67-Senator bill.
n the special session as The Dallas lawmaker conferred
e Black Belt County of with several other lawmakers
he is opposed to the 67-

here for the State Building Commission meeting, asking their opinions on what he thought the legislature might do to keep the Supreme Court's rulings from disrupting Alabama Segregation laws.

While some agreed with him they would like to have the special session take up the matter, they said they doubted whether the necessary two-thirds vote could be raised.

At the same time some of these legislators said they were not in favor of the special session called by Folsom.

However, they expressed the opinion that the assembly is likely to be in session for some time though the members themselves had rather adjourn the first day.

Among the other legislators here for the commission meeting were Senators Albert Boutwell of Birmingham, J. Albert Hughes of Hartford and R. J. Lowe of Huntsville and Reps. Edward B. Miller of Gadsden, J. Fred Wood of Centreville and Ira D. Pruitt of Livingston.

Tell It To Old Grandma

Your name and address must appear on the letter ★ But the name will be withheld on request at the Editor's discretion ★ Write legibly on one side of the paper only ★ No poetry, please ★ Repeat: No letter will be printed unless the Editor knows who wrote it.

Gov. Folsom Congratulated From Here To Honolulu

Gov. Folsom is to be commended on having the courage and good common sense to refuse to sign Senator Glen Taylor's extradition papers. See enclosed copy of *Honolulu Advertiser's* story.

From the day I read John Gunther's *Inside U. S. A.* I have made it a point not to miss a single Senate speech made by this sincere and able senator—in the *Congressional Record*.

On several occasions he went to bat for local pushed-around Vets and civil service employes—one-vote people whom others had practically turned down. Of course, these exemplary deeds of the senator had never been given space in the nation's dailies. Had they been played up by them, he very probably would have been reelected.

It is statesmen like Glen Taylor who inspire me to take up the cudgels for some bewildered Vet here who doesn't realize that his bullet-facing at the fronts should not have been in vain.

In appreciation of Gov. Folsom's fine deed, several of us disabled vets are sending the First Lady of Alabama an orchid corsage.

JOE CAPSIN.

Honolulu, Hawaii.
Chairman pro-tem:
Committees on Employment,
Legislation & Publicity,
D.A.V. Oahu County Council.

By
JUDGE
WALTER B. JONES

Glen Taylor Should Be Brought Back

THE people of Alabama who believe in law enforcement, many, many hundreds thousands of them, though they are not as vocal as they should be, deeply regret that Governor Folsom has declined to sign extradition papers for the Idaho blatherskite, Glen Taylor, who is now a fugitive from justice. The reason given by the governor for his action, "political persecution," does not stand close examination. It's just an excuse to advoid his constitutional duty. Taylor, a disgrace to the United States Senate, came to Alabama for the express purpose of flouting our laws, violating our wise customs, and to get some personal publicity which he thought would do him political good among minority groups. He deliberately brought on the dispute, intentionally violated the Birmingham ordinance, was properly convicted and should be required to serve his six months sentence. His conviction in Birmingham was upheld by the Alabama Court of Appeals, and strange to note, by the United States Supreme Court. Taylor is just simply a fugitive from justice and he should be treated like any other fugitive from justice, brought back to Alabama and required to serve his sentence. We hope when the new governor takes over in January the signing of a demand for Taylor's return will have priority on his list of "must" things.

Judicial Discretion

Much of the criticism that is being directed at the Supreme Court because of its action regarding the Oklahoma restricted covenants and Glen Taylor cases seems to be based on a misunderstanding of what the court does when it denies a petition for certiorari. Too often such action is interpreted as placing the stamp of judicial approval upon a lower court's decision. The court has occasionally pointed out, as Justice Frankfurter did again on Monday, that when it refuses to take a case it makes no decision as to the merits of the legal questions involved. That, of course, should be obvious. Some confusion is doubtless unavoidable when the court declines to review lower court decisions that seem to be at variance with the principles it has laid down in other cases, but this certainly does not warrant the assumption that the court is wobbling from one position to another.

In the Oklahoma City case the court declined to pass upon a decision of the State Court setting aside a sale of property to Negroes by white persons who had entered into a restrictive covenant not to make such a sale. The State Court decision appears to be at variance with the Supreme Court's ruling in the restrictive covenants cases decided in 1948. But the lower Federal Courts had refused to take the Oklahoma City case because the constitutional issue had not been raised when the case was in the State Courts. This would also be ample ground for the Supreme Court to reject the petition for review. Or it might have found that the record in the case was cloudy. Since the court seldom states its reasons for rejecting certiorari cases, all we know is that it did not regard the case as a proper vehicle for further clarification of the law.

In refusing to consider the conviction of Senator Taylor for disorderly conduct the justices could have taken the view that no Federal issue was raised. To be sure, the conviction grew out of a scuffle resulting from Senator Taylor's attempt to pass through the Negro entrance to a Birmingham church. But judges are capable of deciding that disorderly conduct is disorderly conduct regardless of what cause the person creating the disturbance may be trying to promote. Or the case may have been rejected because of some technical defect. The important thing to remember is that the Supreme Court does not attempt to pass upon every case in which a litigant feels that an injustice has been done. It could not possibly do so. Rather, its function is clear statement of the law in cases involving important Federal questions. If a particular case coming up on certiorari does not lend itself to clarification of the law, the court is at liberty to reject it. We can see nothing more in the rejections announced this week than a judicious exercise of this right.

High Court Refuses Taylor Case Review; 330 Matters Handled

WASHINGTON, Oct. 10—(AP)—The Supreme Court's refusal yesterday to review the disorderly conduct conviction of Senator Glen H. Taylor touched off a long-distance tug of war over whether he will serve a jail sentence.

The Supreme Court split 7 to 2 in turning down Taylor's request for a review. Justices Black and Douglas favored a review.

The case was one of some 330 which the court disposed of yesterday, its first business session of the new term.

Other Pertinent Actions

In other cases it dealt with in the orders, the court:

1. refused to reconsider last June's decision requiring that Texas admit a Negro, Herman Marion Sweatt, to the all-white Law School of the University of Texas.

2. Agreed to review a lower court's decision that the FBI may not be compelled to disclose its confidential records in open court.

3. Declined to review a Maryland Court of Appeals decision that the state is obliged to admit a Negro girl, Esther McCready, to its School of Nursing. The State had offered to provide her with nursing training at an out-of-state school.

4. Refused to interfere in a case in which Negroes were prevented from occupying houses on two streets in Oklahoma City.

5. Agreed to review a decision that damage suits may be filed against individuals accused of violating civil rights legislation.

News Service Loses

6. Refusing the Pioneer News Service, Inc., of St. Louis, a review of its fight against a Missouri Public Service Commission order to shut off telephone service to the firm. The governor and attorney general of Missouri had asked the shut-off order, contending that Pioneer used telephone service in violating state laws.

Idaho's Glen Taylor Setting Glumly Inside Tug-of-War Designed To Get Him In Or Keep Him Out Of Alabama

BIRMINGHAM, Ala., Oct. 10—(AP)—The welcome mat was out in front of the Birmingham city jail for Idaho's Senator Glenn Taylor today. Taylor spurned the invitation.

The obstacles to his entering the jail to serve a 180-day sentence were matched only by the impatience of Police Commissioner E. C. Connor to have Taylor behind bars.

"You can quote me as saying I'm going to leave no stones unturned," Connor said. "I'm going to get him."

Used Wrong Door

Taylor was convicted of disorderly conduct following a scuffle with police outside a Negro youth meeting in 1948. The U. S. Supreme Court refused to review the conviction.

Taylor came here as a Progressive Party candidate for vice-president. Scheduled to address the meeting, he collided with police when he tried to go through a door marked, "Negro Entrance."

The Senator said his trial would be a test of Birmingham's segregation laws. City counsel insisted the only issue was "a simple case of assault and battery" upon a police officer.

Connor said he would seek extradition of the Senator to serve his sentence in the Birmingham jail. Taylor, out in Idaho, said he didn't plan to come near Alabama.

The Constitution grants members of Congress certain immunities from arrest while Congress is in session. Taylor's term expires in January.

Extradition Try Pondered

A state's attorney said Taylor's extradition would depend upon the governors of Alabama and Idaho.

He said Gov. James E. Folsom first must ask the Governor of Idaho to authorize extradition of Senator Taylor. Then the Idaho executive must agree to the request.

Governor Folsom was not available for comment last night.

The question also was raised whether a misdemeanor, with which Tayuor was charged, is an extraditable offense. One source said it was, But Thomas E. Huey, Jr., counsel for Birmingham in the Supreme Court arguments, said he wanted to investigate that angle further.

In Boise, Gov. C. A. Robins was asked if he would approve Taylor's extradition, and said:

"I have nothing to say until I see the extradition papers. I will have to receive them before I can comment."

Glen H. Taylor

INVOLVED — Senator Taylor, candidate for Vice-President on the Henry Wallace-headed Progressive Party ticket in the last Presidential election and defeated a second time when he ran for re-election for Senator from Idaho on the Democratic slate, is in for more trouble—and publicity—as told in the stories immediately beneath this engraving.

Birmingham Jail Opens Doors, But Taylor Spurns Hospitality

By the Associated Press

BIRMINGHAM, Ala., Oct. 10.—The welcome mat was out in front of the Birmingham City Jail for Idaho's Senator Glenn Taylor today. The Senator spurned the invitation.

The obstacles to his entering the jail to serve a 180-day sentence were matched only by the impatience of Police Commissioner E. C. Connor to have Senator Taylor behind bars.

"You can quote me as saying I'm going to leave no stones unturned, Mr. Connor said. "I'm going to get him."

Senator Taylor was convicted of disorderly conduct after a scuffle with police outside a Negro youth meeting in 1948. The United States Supreme Court refused to review the conviction.

Senator Taylor came here as a Progressive Party candidate for Vice President. Scheduled to address the meeting, he collided with police when he tried to go through a door marked, "Negro entrance."

The Senator said his trial would be a test of Birmingham's segregation laws. City counsel insisted the only issue was "a simple case of assault and battery" on a police officer.

Mr. Connor said he would seek extradition of the Senator to serve his sentence. Senator Taylor, out in Idaho, said he didn't plan to come near Alabama.

The Constitution grants members of Congress certain immunities from arrest while Congress is in session. Senator Taylor's term expires in January.

A State's attorney said Senator Taylor's extradition would depend on the Goveronrs of Alabama and Idaho.

The question also was raised whether a misdemeanor, with which Senator Taylor was charged, is an extraditable offense. One source said it was, but Thomas E. Huey, jr., counsel for Birmingham in the Supreme Court arguments, said he wanted to investigate that angle further.

In Boise, Gov. C. A. Robins was asked if he would approve Senator Taylor's extradition, and said:

"I have nothing to say until I see the extradition papers. I will have to receive them before I can comment."

Idaho Attorney General Robert E. Smylie said he believes Idaho law would permit Senator Taylor's extradition.

Glen Taylor Case Review Denied

It is to be borne clearly in mind that it was on disorderly conduct charges that Sen. Glen Taylor, of Idaho, was convicted in the case which the United States Supreme Court yesterday refused to review.

Taylor sought to enter a Negro youth meeting through an entrance marked for Negroes. Police said he was told to use another door for white persons, and that he ignored the admonition and tried to brush past an officer. Taylor in turn charged that he was roughly handled by police. He was fined $50 and sentenced to 180 days in jail on disorderly conduct charges.

Taylor's defense was based on constitutional grounds. He did not undertake to refute testimony of the city's witnesses as to the incident. He was evidently eager to test the segregation ordinance. But in asking the Supreme Court to deny a review, the city pointed out that the Alabama Court of Appeals had said "there is nothing in the record to support petitioner's (Taylor's) contention that the police arrested him in order to enforce the segregation ordinance."

It was contended by the city that "the record presents a simple case of assault and battery by petitioner upon a police officer."

The court voted 7 to 2 against a review of the case, Justices Black and Douglas being in the minority.

One may hold, as Sen. Taylor did, that the segregation ordinance is itself invalid, but of course, if one challenges a law that is on the books, he must face consequences of such a challenge. In this case the Supreme Court majority apparently agreed with the city that the segregation ordinance itself was not the issue. Though a law may be considered unconstitutional, it calls for obedience so long as it stands.

Folsom Refuses To Ask Return Of Sen. Taylor

Governor Regards Idaho Democrat As 'Political Prisoner'

By The Associated Press

Chances for Sen. Glen Taylor (D-Idaho) to serve his 180-day sentence in the Birmingham jail dropped almost to zero Tuesday.

Gov. James E. Folsom refused to ask the senator's return to this state.

Taylor already had announced he would stay away from the Birmingham "chain gang." He was convicted of disorderly conduct in May, 1948, when he sought to use the Negro entrance to address a Negro youth rally.

Folsom, at his press conference here, said he regarded Taylor as a "political prisoner." The Alabama governor disagreed on the "chain gang" phrase, however.

Better Than Idaho's

"Alabama's prison system is better than Idaho's," he said. "Prisoners here have not been chained for many years."

Taylor lost his appeal from the Birmingham conviction Monday when the U. S. Supreme Court declined to review the case.

Birmingham Police Commissioner Eugene (Bull) Conner took a verbal crack at Folsom for the decision not to seek Taylor's extradition.

"Thank God we don't have but three more months to put up with Folsom and his crowd," Conner said. Folsom's term ends in January. Conner and the governor have been political opponents for years.

Conner announced he would make every legal effort to have Taylor returned to Birmingham to serve the jail term.

Taylor was a candidate for vice president on the Progressive Party ticket with Henry Wallace when he was arrested.

Taken to Jail

He was taken to jail, but made bond in a few minutes.

He contended at his trial that his arrest stemmed from the Birmingham segregation laws for whites and Negroes. The city contended successfully that the case involved a "simple assault and battery upon a police officer."

Connor did not disclose what plans, if any, he has to try to bring Taylor back here despite the attitude of the governor. A new governor, Gordon Persons, takes office in January.

Taylor had posted a $500 appeal bond. So far, no move has been made by the city to have it forfeited.

Taylor was beaten for re-nomination by Idaho Democrats this year.

Alabama Won't Attempt To Get Back Sen. Taylor

BIRMINGHAM, Ala., Oct. 10 (AP).—Chances of Sen. Glen Taylor, D., Idaho, serving his 180-day sentence in the Birmingham jail on a disorderly conduct conviction dropped almost to zero today as Gov. James E. Folsom refused to ask the Senator's return to this state.

Sen. Taylor already had announced he would stay away from the Birmingham "chain gang." He was convicted of disorderly conduct in May, 1948, when he sought to use the Negro entrance to address a Negro youth rally. He lost an appeal when the United States Supreme Court refused yesterday to review the case.

Gov. Folsom, at a press conference at Montgomery, said he regarded Sen. Taylor as a "political prisoner."

Gov. Folsom said his administration had been doing all possible to eliminate anything that resembles political prisoners, and added: "I am not going to be party to anything that means taking away the political rights of any man."

IF POSSIBLE

Alabamans To Send for Sen. Taylor

WASHINGTON, Oct. 9 (AP).—The Supreme Court Monday denied Sen. Glen H. Taylor a review of his conviction on disorderly conduct charges in Birmingham, Ala., when he was running for Vice-President on the Progressive party ticket.

The Idaho Democrat, who as the running mate of Henry A. Wallace, was fined $50 and sentenced to 180 days in jail after his arrest in Birmingham May 1, 1948. The Alabama Supreme Court had upheld the conviction of Taylor, who said his arrest would be a test of Birmingham's law requiring separation of Negroes and whites.

Soon after the announcement that the Supreme Court had refused to review the case, Alabama authorities announced their intention of seeking Taylor's return to that state to face punishment.

Police Commissioner Eugene Connor told reporters in Birmingham that "we are going to send and get him, wherever he is, at once."

In Pocatello, Idaho, Taylor had told newsmen earlier that he had no intention of going to Alabama to turn himself over to "that chain gang."

The charges against Taylor were lodged when the Senator tried to enter a Negro youth meeting through a door marked "Negro entrance." He had a scuffle with police and was arrested.

The question was raised whether Taylor would be subject to extradition to Alabama—at least before his term as Senator expires in January. He was defeated for renomination last summer.

Senators and Representatives in all cases except treason, felony, and breach of the peace, are privileged from arrest during sessions of their respective Houses.

One official said that technically Congress still is in session, having taken a recess, rather than adjournment, from Sept. 20 to Nov. 27.

On another angle, Alabama formally would have to request Taylor's extradition from Idaho. It would then be up to the Governor of Idaho to decide whether to honor the extradition request.

Sen. Glen H. Taylor . . . says he won't turn himself over to "that chain gang."

Alabama Loses Lure

Alabama's scenic attractions seem to have lost their lure for Idaho's lame-duck Senator, Glen H. Taylor. The Idahoan got a lot of publicity in Birmingham more than two years ago, when he was running for Vice-President on Henry Wallace's Progressive party ticket. After Taylor deliberately defied a Birmingham segregation ordinance, he had a scuffle with policemen and was arrested for disorderly conduct.

After being sentenced to a $50 fine and 180 days in jail, Taylor appealed to the Supreme Court. By implication at least, he agreed to abide by its decision. But now that the court has gone against him, he seems in no hurry to serve his jail sentence. Congressional immunity may save him until next January. After that, if Alabama presses for extradition, the decision on sending Taylor back to Birmingham will be up to the Governor of Idaho.

Whatever happens, the impulsive Glen, who recently was repudiated by Idaho Democrats, wants no more tours of Alabama. Somehow or other, Alabama people will have to get along without his speeches and antics.

GLEN TAYLOR PAYS BOND

Idaho Senator Forfeits $200 in Alabama Conduct Case

BIRMINGHAM, Ala., Nov 13 (AP)—Senator Glen H. Taylor, Democrat of Idaho, today paid off a $200 bond forfeited when he refused to return here to serve a six-month sentence.

Morel Montgomery, attorney for Senator Taylor, said he had received a check from him today for $228.60. The sum included court costs.

Mr. Taylor was a candidate for Vice President on the Progressive party ticket when he was convicted of disorderly conduct after trying to use an entrance reserved for Negroes at a youth rally here in 1948.

The Senator, defeated for renomination this year, appealed his case to the United States Supreme Court lost.

"Bull": Bull

(FROM THE MONTGOMERY ADVERTISER)

Birmingham's effort to extradite a United States Senator back to Birmingham and jug him for 180 days sounds like an idea that came out of the iron head of Vulcan.

"We are going to send and get him, wherever he is, at once," said Police Commissioner "Bull" Connor.

Bull's manhunt is for Senator Glenn Taylor of Idaho. During a 1948 visit to Birmingham, Senator Taylor violated a city ordinance providing for racial segregation. Taylor tried to enter a "Negro Entrance" door to a Negro youth meeting in Birmingham.

He was fined $50 and sentenced to 180 days, the case having been pushed by "Bull" who was then a candidate for governor.

Taylor is now a lame-duck senator, having been recently defeated. He'd be forgotten but for "Bull's" pursuit.

It does not advance the standing of the Southern states with the rest of the country when it reads that Birmingham is trying to jail a U. S. senator for going through the wrong door.

It is true that Taylor did violate the law of Birmingham, but for that matter so does every delicatessen that stays open on Sunday.

And if exceptions weren't made to the segregation pattern and law, how to explain the fact that there is no more segregation on the elevators in Birmingham department stores than in Montgomery or Atlanta?

To jail a United States senator for entering a Negro entrance would be to provide another Moscow broadcast on the fanaticism of the caste system.

The campaign being over, it is difficult to see why "Bull" takes such a matter so seriously. We recall, for example, that we saw a good deal of him in 1948 at the Democratic National Convention in Philadelphia. In the convention hall, there was no segregation of any kind. In Rome, "Bull" did as the Romans did. He sat amid colored delegates. Nevertheless he now wishes to jail Taylor for mingling and thus attract national ridicule and hostility. The civil rights holy-rollers never had a better ally than "Bull".

Sen. Taylor skips bond, jail term

Idaho's "lame duck" Sen. Glen Taylor, today became a tardy guest for the Birmingham jail.

In simpler words, the former tent show thespian became a bond jumper when his surrender time expired at midnight last night with Taylor failing to answer roll call.

Mrs. Mabel Ellard, chief clerk, criminal division of Circuit Court, said today that all forfeiture papers have been prepared against the guitar-playing U. S. senator.

Circuit Judge George Lewis Bailes today issued an alias warrant for the arrest of Taylor. If an arrest is made, the warrant provides that no bond be allowed.

City Atty. Tom Huey, who prosecuted Taylor, said he "supposed" that some effort would be made at extraditing Taylor. He said he has not been notified that his bond is officially forfeit.

* * *

IN COURT, the next step will be to require bond sureties on Taylor's $200 bond to show cause why the forfeiture should not be made final against them. The bond was signed by two Birmingham women, Mrs. Ethey Williams and Mrs. Pearl Montgomery.

Taylor was arrested on May 1, 1948, when he attempted to enter a meeting hall through a door marked for Negroes. Officers said Taylor was told he must use the white entrance and that Taylor, who was then a vice presidential candidate on the Progressive Party ticket, wrestled with the officers.

He was charged with disorderly conduct, assault and battery and interferring with an officer in the performance of his duty.

Fined $50 and given a suspended jail term of 180 days by Recorder Oliver Hall, Taylor appealed to Circuit Court.

* * *

IN CIRCUIT COURT a jury found him guilty and he appealed to the Alabama Court of Appeals.

In the higher court he contended that his arrest was caused by Birmingham's segregation ordinances. He attempted to attack the constitutionality of these ordinances.

The court ruled against him. Later the Alabama Supreme Court upheld the Appeals Court decision.

Taylor then carried his fight to the U. S. Supreme Court, which refused to review the case.

Back through channels came the order and reached the circuit clerk's office here on Oct. 16. That gave Taylor 15 days in which to file for a rehearing or to surrender himself. His time expired last midnight.

Glen Taylor Pays Off Bond; Won't Return To B'ham

BIRMINGHAM, Ala.— (INS)— Sen. Glen Taylor (D), Idaho, paid off a $200 forfeited bond which was made final against him when he failed to surrender himself to serve a six-month jail sentence in Birmingham.

The Lameduck Lawmaker was arrested on May 1, 1948, while attempting to enter a meeting hall through a Negro entrance. He was convicted in police court and fined $50 and given a 180-day suspended jail sentence.

Taylor, then a vice presidential candidate on the Henry Wallace Progressive Party ticket, appealed the case to the U. S. Supreme court and lost.

His attorney, morel Montgomery, said today the senator sent him a check to pay off the forfeited Bond which amounted to $228.50.

Sen. Taylor Pays Birmingham Fine

U. S. Senator Glen Taylor (D., Idaho) today paid a $200 bond that was ordered forfeited when he declined to return to Birmingham to serve a six-month jail sentence on a disorderly conduct conviction.

Attorney Morel Montgomery said Taylor sent him a check for $228.60 to cover the bond and court costs.

Taylor, then a candidate for vice president on the Progressive Party ticket, was arrested May 1, 1948, as he sought to enter a Negro youth congress meeting here through a door reserved for Negroes under the city segregation laws.

He lost an appeal to the Alabama Court of Appeals and the U. S. Supreme Court refused to review the case. In addition to the six-month sentence, he was fined $100.

Taylor, who was defeated for re-election this year, said he would not return to Alabama. Gov. James E. Folsom said he would not ask that Taylor be sent back to serve the sentence.

Folsom Refuses To Ask For Taylor

As far as Gov. James E. Folsom is concerned, U. S. Senator Glen Taylor (D-Idaho) won't have to serve a six-month disorderly conduct sentence in Alabama.

Folsom Wednesday formally refused to sign extradition papers for Taylor. Previously, he had termed the senator's conviction in Jefferson County (Birmingham) courts "political persecution."

Taylor was convicted in 1948 on disorderly conduct charges and sentenced to six months and a $100 fine following an incident in which he attempted to enter a meeting of the Southern Negro Youth Congress in Birmingham through a door reserved for Negroes.

Disorderly conduct charges were filed after Taylor and an officer scuffled.

The conviction was upheld by the Alabama Court of Appeals and the U. S. Supreme Court refused to review it.

At Birmingham, Police Commissioner Eugene (Bull) Connor said he wasn't surprised at Folsom's action and was "glad to have the governor on record."

Extradite Taylor, City Asks Folsom

Governor Gives Papers To Carmichael

The City of Birmingham yesterday asked Gov. James E. Folsom to seek to extradite Idaho Sen. Glen Taylor to Birmingha mto serve a six-month term in Birmingham Jail for disorderly conduct.

Governor Folsom passed the extradition papers prepared by the city on to Atty. Gen. Albert Carmichael to "see is they are in proper order."

Governor Folsom did not say whether he would request the Idaho governor to turn Taylor over to Birmingham authorities. But he said several weeks ago he would not seek the extridation if requested to.

The extradition papers were presented to the governor in Montgomery yesterday by Asst. City Atty. Tom Huey and Police Sgt. W. W. Casey. Casey arrested Taylor on May 1, 1948, when Taylor created a disturbance outside a Negro church.

Taylor appealed his conviction of disorderly conduct to the U. S. Supdeme Court, but the high court refused to hear the case.

The Idaho senator, who was not renominated during the Democratic primary in Idaho, paid a $200 bond forfeiture Monday.

Police Commissioner Eugene Connor said yesterday Taylor will be brought back to serve his sentence if "there is any possible way to bring him back."

"It's not just because he's a senator that we're trying to extradite him," Connor said. "I'm just not going to let anybody, high or low, run over my policemen like Taylor tried to run over Casey."